

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JIAN HU,
Plaintiff(s),

v.

ARIA RESORT & CASINO LLC, et al.,
Defendant(s).

Case No. 2:25-cv-00320-NJK

Order

[Docket Nos. 28, 35, 42]

Pending before the Court is Defendants' motion to stay discovery pending resolution of their motion to dismiss. Docket No. 28. Plaintiff filed a response. Docket No. 30. Defendants filed a reply. Docket No. 34. Plaintiff filed a motion for leave to file a surreply. Docket No. 35. Defendants filed a response. Docket No. 41. Plaintiff filed a reply. Docket No. 44. Also pending before the Court is the parties' joint proposed discovery plan. Docket No. 42. The Court does not require a hearing on these motions or the discovery plan. *See* Local Rule 78-1.

Concurrently herewith, the Court is denying the motion to dismiss without prejudice to its proper refile. Determining whether to stay discovery will require analysis of the refiled motion to dismiss. *See Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev. 2013). In light of the circumstances, the Court defers ruling on whether discovery should be stayed or proceed at this time. The motion to stay discovery (Docket No. 28) and the discovery plan (Docket No. 42) are both **DENIED** without prejudice, while the motion for leave to file a surreply (Docket No. 35) is **DENIED** as moot.

If Defendants seek a stay of discovery, they must file a renewed motion to stay discovery by May 23, 2025, in conjunction with their motion to dismiss. If a motion to stay discovery is renewed on May 23, 2025, discovery will be stayed on an interim basis pending resolution of the

1 motion to stay discovery. If a motion to stay discovery is not renewed on May 23, 2025, then a
2 joint discovery plan must be filed by May 30, 2025.

3 IT IS SO ORDERED.

4 Dated: May 12, 2025

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8 Nancy J. Koppe
9 United States Magistrate Judge
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